IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.56396-M of 2004

DATE OF DECISION:27.11.2006

Reeta .....Petitioner

Versus

State of Punjab & Anr. .....Respondents

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri R.S. Mahas, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

None for respondent No.2.

****

The petitioner has filed this petition under Section 482 Cr.P.C. for quashing of complaint No.21 dated 23.1.2002 under Sections 406/498-A/34 IPC and Section 3/4 of Dowry Prohibition Act pending in the Court of Judicial Magistrate Ist Class, Moga and summoning order dated 9.9.2002 vide which the petitioner was summoned.

In view of the last opportunity granted to the petitioner, the petitioner could not serve respondent No.2. Even he could not serve notice to her counsel, who is appearing in the trial Court. I do not find any ground to grant him more opportunity to serve respondent No.2.

After arguing the case for some time, counsel for the petitioner confines his prayer to the extent that the personal appearance of the petitioner be exempted before the trial Court and further prays that he be permitted to withdraw this petition with a liberty to raise all the points raised in this petition at the appropriate stage of trial.

In view of the above, this petition is dismissed as withdrawn with a liberty to raise all the points raised in this petition at the appropriate stage of trial.

However, in case, the petitioner files an application for personal exemption before the trial Court, the same will be decided in accordance with law taking into consideration, the relation of the petitioner with the complainant.

November 27, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**